

UDS A02

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Cont'd

coating a sheet of plastic with a first polymer material as an underlayer, the underlayer comprising a polymer chosen from the group consisting of amine terminated polyamide, a silane coupling agent and amino propyl triethoxy silane; and

directly overcoating the underlayer with an second polymer material to form an overlayer coating on the underlayer, the overlayer having an outer surface to which a toner image can be adhered and fixed,

wherein the overcoating has a dry thickness of between 0.1 and 10 microns.

#### REMARKS

The present application now contains claims 1-3, 7-12, 14-30, 32, and 37-45. Claims 2, 3, 7-12, 14, 19-26, 28, 29, 32, and 37 are amended. Claims 4-6, 13, 31 and 33-36 are canceled. Claims 42-45 are added. A marked up copy of the amended claims is attached hereto.

Claim 31 is objected to. Claim 31 has been canceled.

Restriction is required between Groups I-V. The claims in Group IV and V have been canceled.

The restriction requirement as between Groups I-III is respectfully traversed.

First, claim 30 (and new claim 45) provide a method of producing the substrate of claims 1 and 33 and new claims 42 and 43. Claim 37 provides a use of the product. As such there can not be non-unity between groups I, II and III (See MPEP § 1850 subsection C).

Second, the Examiner's restriction requirement is based on the contention that the special technical feature binding these claims together is not novel. Applicants submit that Keil does not teach an overcoating of MYLAR on polyolefin sheet. Rather, Keil teaches laminating MYLAR and polyolefin sheets. Thus, the three Groups do have a common special technical feature.

Third, the Examiner contends that the independent claims in Groups I-III are anticipated by Keil, and that thus, there is no common special technical feature between the groups, causing non-unity. If this were true then these claims do not have *any* special technical feature, since such a feature is required to distinguish the claims over the prior art. However, were this reasoning to be followed, if a method and apparatus to the *same* subject matter were claimed, non-unity could be indicated, which would be an unacceptable result since it could result in separate patents to identical inventions, once the claims were amended or argued to be patentable. In fact, in those jurisdictions where non-unity of invention is the criteria for requiring divisional applications, non-unity is declared only if the claims do not have a common special technical feature but do have *different* special technical features. If they have no special technical features at all, but otherwise their features are common, they are just unpatentable.

Fourth, claims 37-41 are dependent claims. Thus, by definition they have the features of the parent claims. Non-unity can thus not exist.

To further differentiate the present invention from the Keil reference, new *independent* claims 42, 43 and 45 have been added, to specifically claim the thickness of the outer layer.


The situation with respect to the restriction requirement is:

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- 1) If applicants' first, second or third traverse is accepted all the claims form a common group. Claims 1-3, 23-30, 32 and 37-45 are generic. Applicants choose species 25, with claims 11, 14-18 and 20.
- 2) If applicants' first and second and third traverses are not accepted and the fourth traverse is accepted, all of the claims except 30 and 45 (and claims dependent on them) form a single group which is elected. Generic claims include claims 1-3, 23-29, 32, 37-41(/1,42,43) and 42-44. Applicants choose species 25, with claims 11, 14-18 and 20.
- 3) If none of the traverses is accepted, Applicants choose Group I. Generic claims include claims 1-3, 23-29, 32, and 42-44. Applicants choose species 25, with claims 11, 14-18 and 20.

An examination on the merits is respectfully awaited.

Respectfully submitted,  
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## MARKED-UP AMENDED CLAIMS

2. (Amended) A substrate according to [claim 1] any of claims 1, 42 or 43 wherein the overlayer is substantially free of particulate matter.
3. (Twice Amended) A substrate according to [claim 1] any of claims 1, 42 or 43 wherein the overlayer is substantially wax and pigment free.
7. (Twice Amended) A substrate according to any of claims [1, 4 or 6] 1, 42 or 43 wherein the sheet of plastic is polyethylene.
8. (Twice Amended) A substrate according to any of claims [1, 4 or 6] 1, 42 or 43 wherein the sheet of plastic is vinyl.
9. (Twice Amended) A substrate according to any of claims [1, 4 or 6] 1, 42 or 43 wherein the sheet of plastic is polycarbonate.
10. (Twice Amended) A substrate according to any of claims [1, 4 or 6] 1, 42 or 43 wherein the sheet of plastic is PET.
11. (Twice Amended) A substrate according to any of claims [1, 4 or 6] 1, 42 or 43 wherein the sheet of plastic is BOPP.
12. (Twice Amended) A substrate according to any of claims [1, 4 or 6] 1, 42 or 43 wherein the overlayer comprises styrene butadiene copolymer.
14. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43, wherein the overlayer comprises ethylene acrylic acid copolymer.
19. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43 wherein the overlayer comprises polyvinyl pyridine.
20. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43 wherein the underlayer comprises amine terminated polyamide.

21. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43 wherein the underlayer comprises a silane coupling agent.
22. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43 wherein the underlayer comprises amino propyl triethoxy silane.
23. (Twice Amended) A substrate according to any of claims 1, [4, 6 or 13] 42 or 43 wherein the underlayer has a weight of between 0.1 and 1 grams per square meter.
24. (Twice Amended) A substrate according to any of claims 1, [4, 6 or 13] 42 or 43 wherein the underlayer has a weight of between about 0.3 and 0.5 grams per square meter.
25. (Twice Amended) A substrate according to [any of claims 1, 4, 6 or 13] claim 1 wherein the overlayer has a weight of between 0.1 and 10 grams per square meter.
26. (Twice Amended) A substrate according to [any of claims 1, 4, 6 or 13] claim 1 or claim 42 wherein the overlayer has a weight of between 0.2 and 2 grams per square meter.
28. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43 wherein the underlayer is substantially free of particulate matter.
29. (Twice Amended) A substrate according to any of claims [1, 4, 6 or 13] 1, 42 or 43 comprising only two coating layers.
32. (Twice Amended) A substrate produced according to the method of claim 30 or claim 45.
37. (Twice Amended) A printing method comprising:  
    providing a substrate according to any of claims [1, 4, 6, 13 or 33] 1, 42 or 43 or produced according to claim 30 or claim 45; and  
    printing a toner image on the substrate.